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RESPONSE UNDER  
37 C.F.R. § 1.116  
EXPEDITED PROCEDURE  
EXAMINING GROUP 1614

PATENT  
0020-4883P

IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant: Hideakira YOKOYAMA et al. Conf.: 4627  
Appl. No.: 09/890,552 Group: 1614  
Filed: August 2, 2001 Examiner: D. Jagoe  
For: DRUG FOR ALLEVIATING MIGRANE

NOTICE OF APPEAL FROM THE  
PRIMARY EXAMINER TO THE BOARD OF APPEALS

**MS AF**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

December 17, 2003

Sir:

Applicants hereby appeal to the Board of Appeals from the decision dated June 18, 2003 of the Primary Examiner finally rejecting claims 1-8 and 11-19.

This document is being transmitted via the Certificate of Mailing provisions of 37 C.F.R. § 1.8.

The applicant(s) hereby petition(s) for an extension of three (3) month(s) pursuant to 37 C.F.R. §§ 1.17 and 1.136(a).

The fee has been calculated as shown below:

NO extensions of time have been previously obtained for responding to the Final Rejection. Thus a fee of \$0.00 is required for the full period of the above-requested extension of time.

An extension of two (2) month(s) for responding to the Final Rejection was previously requested and paid for on November 18, 2003. Thus a fee of \$530.00 is required to obtain an additional one (1) month(s) for filing the Notice of Appeal.

12/18/2003 HDEMESS1 00000095 09890552

01 FC:1401  
02 FC:1253

330.00 OP  
530.00 OP

Applicant claims small entity status. See 37 C.F.R. § 1.27.

The Government fee for filing a Notice of Appeal to the Board of Appeals is calculated as follows:

Large entity - \$330.00

Small Entity - \$165.00

Therefore, the TOTAL FEE due for the filing of this Notice of Appeal is \$860.00.

Payment of the above TOTAL FEE is being made in the following manner:

Check(s) in the amount of \$860.00 is/are enclosed.

Please charge Deposit Account No. 02-2448 in the amount of \$0.00. A triplicate copy of this sheet is attached.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By G. Murphy, Jr.  
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GMM/KJR/jao  
0020-4883P

(Rev. 09/30/03)